IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant

John Skoufis

Serial No.

09/879,613

Filed

06/12/2001

For

PEROXIDE PRESERVATION

Group Art Unit

3728

Examiner

Mohandesi, Jila M.

919 Third Avenue New York, New York 10022 (212) 715-9202

EXPRESS MAIL

Mailing Label Number <u>EL963505058US</u> Date of Deposit March 3, 2005 I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

:

KIVera (Typed or printed name of person

mailing paper or fee)

erson mailing paper or fee)

MAR 0 8 2005

TECHNOLOGY CENTER R3700

NOTICE OF APPEAL UNDER 37 CFR 1.191 FROM THE PRIMARY EXAMINER THE BOARD OF PATENT APPEALS AND INTERFERENCES

Board of Patent Appeals and Interferences

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Examiner's Decision, in the Final Rejection dated December 3, 2004, finally rejecting claims 1, 3-5, 9 and 12.

The item(s) checked below are appropriate:

- (1) [] This response is being filed within the first month following the expiration of the term originally set therefore, and a Petition and the fee of \$000.00 for the requisite extension is due and paid herewith Under 37 C.F.R. 1.136(a) and 1.17(a).
- (2) [X} Notice of Appeal Fee under 37 C.F.R. 1.17(e): \$500.00
- [X] Please charge Applicant's Deposit Account No. 50-0540 for the \$500.00 fee
 - [] Not required (Fee paid in prior appeal)
- (3) [X] Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0540.
 - (4) [] An Oral Hearing is requested.

(Two additional copies of the Notice is enclosed herewith).

Respectfully submitted,

KRAMER LEVIN NAFTALIS & FRANKEL LLP

Attorneys for Applicant(s)

By:

Gregor N. Neff

Registration No. 20,596

(212) 715-9202

Triplicate